



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ying-Hsien CHENG et al. Confirmation No: 9817
Appl. No. : 10/760,384
Filed : January 21, 2004
Title : Anode Plate For A Field Emission Display Device

TC/A.U. : 2879
Examiner : C. M. Raabe

Docket No.: : CHEN3621/REF
Customer No: : 23364

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Official Action of January 24, 2006, in connection with the above-identified application. The period for reply to the Official Action has been extended to expire on May 24, 2006 by the filing herewith of a Petition for a One Month Extension of Time and payment of the required fees.

The rejection of claims 1 and 3-5 under 35 U.S.C. §102(b) as being anticipated by Lovoi (US Pat. No. 5,424,605) has been carefully considered but is most respectfully traversed in light of the following comments.

Applicants wish to direct the Examiner's attention to MPEP § 2131 which states that to anticipate a claim, the reference must teach every element of the claim.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed Cir. 1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed.Cir. 1990).